

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #:04/12-905 Preliminary Determination Pursuant to the Audit of Richmond County District Attorney's (RCDA) Equal Employment Opportunity Program from July 1, 2001 through December 31, 2003.

Whereas, pursuant to Chapter 36, Section 831(d)(2) of the New York City Charter, the Equal Employment Practices Commission (EEPC) is authorized to audit and evaluate the employment practices, programs, policies and procedures of city agencies and their efforts to insure fair and effective equal employment opportunity for minority group members and women and to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

Whereas, the Equal Employment Practices Commission audited the Richmond County District Attorney's Equal Employment Opportunity Program; and

Whereas, in accordance with Chapter 36, Section 832(c) of the City Charter, the EEPC may make a preliminary determination pursuant to Section 831(d) that any plan, program, procedure, approach, measure or standard adopted or utilized by any city agency does not provide equal employment opportunity. Now, Therefore,

Be It Resolved,

that pursuant to the audit of Richmond County District Attorney's compliance with its Equal Employment Opportunity Policy, as well as Commission policies and EEO standards expressed in City guidelines, the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. RCDA did not establish an EEO Program.
2. RCDA's current EEO Officer did not receive EEO training from DCAS or another reputable organization.
3. The previous EEO Officer (2000-2004) left no files or other documentation of EEO activity.

Be It Finally Resolved,

that the Commission authorizes the Vice-Chairman to forward a letter to the Richmond County District Attorney, Honorable Daniel Donovan, Jr., formally informing him of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, his response to these findings within thirty days of receipt of the letter indicating what corrective actions the Richmond County District Attorney's Office will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on October 27, 2004.

Chereé Buggs, Esq.
Commissioner

Angela Cabrera
Commissioner

Veronica Villanueva, Esq.
Commissioner


Manuel A. Méndez
Vice-Chair

**EQUAL EMPLOYMENT PRACTICES COMMISSION
CITY OF NEW YORK**

RESOLUTION #06/11-905C: Determination of implementation by the Richmond County District Attorney's Office of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Richmond County District Attorney Office's Charter-mandated Equal Employment Opportunity Program from July 1, 2001 to December 31, 2003.

Whereas, pursuant to Chapter 36, Sections 831(d) (2) and (5) of the New York City Charter, the Equal Employment Practices Commission is authorized to audit and evaluate the employment practices, programs, policies, and procedures of city agencies and their efforts to insure fair and effective equal employment opportunity for minority group members and women, and to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

Whereas, pursuant to its audit of the Richmond County District Attorney Office's (RCDA), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter dated October 27, 2004 setting forth its findings and recommended corrective actions; and

Whereas, the RCDA submitted its response to EEPC's preliminary determination letter on January 12, 2005; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued its final determination response on January 27, 2005; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the RCDA for a period not to exceed six months, from May through October 2005, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, on August 29, 2005 the RCDA requested a three-month suspension of the six-month Charter-mandated audit compliance process in order for the EEO Officer to complete EEO training and to establish its EEO Program and was granted a new compliance period from September 1, 2006 through February 28, 2006; and

Whereas, On March 7, 2006, the RCDA requested and was granted a three-month extension of the compliance period in order to have its EEO personnel complete EEO training and to develop a curriculum and timetable for training employees on EEO and to implement the outstanding required actions; and

Whereas, the Richmond County District Attorney's Office submitted its Final Compliance Report on June 13, 2006; and

Whereas, on August 22 and 31, 2006 and September 13, 2006 the RCDA submitted additional information/documentation; and

Whereas, all of the aforementioned recommended corrective actions are required by, or are consistent with, the City's Equal Employment Opportunity Policy; and

Whereas, the members of this Commission have reviewed a Compliance Summary Report, prepared by EEPC staff, affirming that the aforementioned recommendations have been implemented to the Commission's satisfaction. Now Therefore,

Be It Resolved,
that the Richmond County District Attorney's Office has implemented the recommended corrective actions deemed necessary to ensure compliance with equal employment opportunity pursuant to the requirements of Chapter 35 and 36 of the City Charter.

Be It Finally Resolved,
that the Commission authorizes the Chair to forward a letter to the Honorable Daniel Donovan, Jr., Richmond County District Attorney, formally informing him that the RCDA has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on September 14, 2006.

Angela Cabrera
Commissioner

Manuel A. Méndez
Commissioner



Ernest F. Hart, Esq.
Chair



OFFICE OF THE DISTRICT ATTORNEY
RICHMOND COUNTY

DANIEL M. DONOVAN, JR.
DISTRICT ATTORNEY

130 STUYVESANT PLACE
STATEN ISLAND, NEW YORK 10301
TELEPHONE (718) 876-6300

MEMORANDUM

TO: All Employees
FROM: Daniel M. Donovan, Jr. *DMD, Jr.*
DATE: August 11, 2006
SUBJECT: Equal Employment Opportunity Program (Revised)

I would like to reaffirm my dedication to maintaining a work environment that recognizes and appreciates the diversity of its workforce. In accordance with the standards outlined by the NYC Equal Employment Practices Commission, we intend to promote equal employment opportunity by continuing effective measures or implementing new strategies and programs, when necessary, that prevent, diminish or eliminate barriers to equal opportunity.

The Richmond County District Attorney's Office (RCDA) is an equal employment opportunity employer committed to compliance with federal, state and local laws prohibiting employment discrimination. Employment decisions at RCDA will be made on the basis of merit, fitness and equality of opportunity and without discrimination based on *age, alienage, color, creed, disability, gender (including gender identity), marital status, military status, national origin, partnership status, predisposing genetic characteristic, prior record of arrest or conviction, race, religion, sexual harassment, sexual orientation or status as a victim of domestic violence, sex offenses or stalking.*

All RCDA employees will attend an EEO training to ensure they are aware of their rights, protections, and responsibilities under the EEO program. Detailed information regarding the RCDA EEO program, its policies and procedures may be found on the office intranet at: <http://intranet.rcdaoffice.org/eo.htm>

Employees with EEO concerns are advised to speak with Elizabeth Dalton, EEO Officer or Nicholas Setteducato, EEO Counselor. Each can be reached at the following:

Elizabeth Dalton
130 Stuyvesant Place, Rm. 714
(718) 556-7170
bettyann.dalton@rcda.nyc.gov

Nicholas Setteducato
130 Stuyvesant Place, Rm. 721
(718) 556-7032
nicholas.setteducato@rcda.nyc.gov

I thank you for sharing my commitment to creating a work environment that encourages and appreciates diversity.



OFFICE OF THE DISTRICT ATTORNEY
RICHMOND COUNTY

DANIEL M. DONOVAN, JR.
DISTRICT ATTORNEY

130 STUYVESANT PLACE
STATEN ISLAND, NEW YORK 10301

August 9, 2006

11-08-06 RCVD 9109

Abraham May, Jr.
Executive Director
NYC Equal Employment Practices Commission
40 Rector Street, 14th Floor
New York, New York 10006

Dear Mr. May:

This is in response to your letter dated July 24, 2006 regarding outstanding required actions.

Due to vacation schedules, EEO training for supervisors (which included structured interview training) was delayed slightly. The first EEO training for supervisors was administered by EEO Counselor Nicholas Setteducato on Thursday, August 3, 2006. The remaining supervisors will be trained on Monday, August 14, 2006. The general staff EEO trainings will commence on Thursday, August 17, 2006, with additional sessions being held on August 21, August 23, and September 6.

On Friday, August 11, 2006, I will issue (via e-mail) the revised memorandum to all staff, including the addition of *partnership status* among the protected classes and an update reflecting the change to *predisposing genetic characteristics*.

Should you or your staff have any questions, please do not hesitate to contact me at (718) 556-7050 or Ronald Carara, Chief of Administration at (718) 556-7070.

Thank you for assisting the Office of the Richmond County District Attorney to establish an equal employment opportunity program.

Sincerely,

Daniel M. Donovan, Jr.
District Attorney